

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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DAVID T. SILVA, GERROD T. SMITH, and JONATHAN  
K. SMITH, Members of the Shinnecock Indian Nation,

Plaintiffs,

-against-

BRIAN FARRISH, JAMIE GREENWOOD, EVAN LACZI,  
BASIL SEGGOS, NEW YORK STATE DEPARTMENT  
OF ENVIRONMENTAL CONSERVATION, and  
SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE,

Defendants.

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**DECLARATION OF BRIAN C.  
MITCHELL IN SUPPORT OF  
MOTION PURSUANT TO  
RULE 56.1**

**CV 18-3648 (SJF)(SIL)**

Brian C. Mitchell, an attorney duly admitted to practice before this Court and the Courts of the State of New York, declares as follows under penalty of perjury:

1. I am an Assistant County Attorney in the office of Dennis M. Brown, Suffolk County Attorney, attorney for Jamie Greenwood and the Suffolk County District Attorney's Office, defendants in this action commenced by plaintiff David Silva, Gerrod Smith and Jonathan Smith.

2. This declaration is submitted in support of County defendants' motion for summary judgment pursuant to Fed. R. Civ. P. Rule 56.1 dismissing the complaint as against them.

3. Annexed hereto as Exhibit A is a true and accurate copy of the complaint filed in this action by plaintiffs.

4. I declare under penalty of perjury that the foregoing is true and correct.

Dated: Hauppauge, New York  
October 3, 2019

Brian C. Mitchell  
Brian C. Mitchell